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December 7, 2017

VIA ECF

The Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street, Room 1310
New York, NY 10007

Re: Wheeler v. Twenty-First Century Fox, Inc., *et al.*; Index No. 17 Civ. 05807 (GBD)
Request for Extension of Time to Oppose Motions to Dismiss Amended Complaint

Dear Judge Daniels:

We represent Plaintiff Rod Wheeler in the above-referenced matter and write pursuant to Your Honor's Individual Rule of Practice II(C) to respectfully request a brief extension of time to oppose: (i) Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman's motion to dismiss Plaintiff's Amended Complaint; and (ii) Defendant Ed Butowsky's motion to dismiss Plaintiff's Amended Complaint. The deadline for Plaintiff to oppose both motions is currently December 15, 2017, and he requests that his time to oppose both motions be extended to January 9, 2018. This is Plaintiff's first request for an extension of this deadline.

Defendants Twenty-First Century Fox, Inc., Fox News Network LLC and Malia Zimmerman consent to Plaintiff's proposed extension to oppose their motion and request, with Plaintiff's consent, that their time to reply to Plaintiff's opposition be extended to January 26, 2018.

Defendant Ed Butowsky objects to Plaintiff's proposed extension, but consents to extending Plaintiff's deadline to January 3, 2018. Although Plaintiff previously consented to, and the Court granted, a 25-day extension of time for Mr. Butowsky to respond to the Amended Complaint (from November 6, 2017 through December 1, 2017), Mr. Butowsky now objects to a similar extension of time for Plaintiff to oppose Mr. Butowsky's motion to dismiss the Amended Complaint, characterizing the request as "a bit excessive." Mr. Butowsky's counsel takes the position that he received only an 18-day extension to respond to the Amended Complaint, apparently based on his incorrect determination that Mr. Butowsky's response to the Amended Complaint was due on November 13, 2017. It was actually due on November 6, 2017, and we are only requesting the same extension as that to which we consented when requested by Mr. Butowsky. See Ex. A.

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We thank Your Honor for the Court's time and attention to this matter.

Respectfully submitted,



Jeanne M. Christensen

cc: Counsel for Defendants (*via* ECF)